

**CHARTER TOWNSHIP OF DELTA PLANNING COMMISSION MINUTES OF
FEBRUARY 24, 2014**

I CALL TO ORDER

Chairperson Schweitzer brought the meeting to order at 7:00 p.m.

II PLEDGE OF ALLEGIANCE

Chairperson Schweitzer led the Commission and others present in reciting the Pledge of Allegiance to the Flag.

III ROLL CALL

Members Present: Schweitzer, Cascarilla, Gabriel, MacLaren, McConnell, Mudry, and Ruswinckel

Members Absent: Lathrop and Laforet

IV APPROVAL OF AGENDA

MOTION BY MACLAREN, SECONDED BY GABRIEL, THAT THE AGENDA BE APPROVED AS PRESENTED. VOICE VOTE. CARRIED 7-0.

V APPROVAL OF MINUTES

MOTION BY MCCONNELL, SECONDED BY MUDRY, THAT THE MINUTES OF THE JANUARY 13, 2014 PLANNING COMMISSION MEETING, AND THE SUMMARY RECORD OF PUBLIC HEARING FOR CASE NO. 12-13-21, ZONING ORDINANCE TEXT AMENDMENT REGARDING BLOOD PLASMA CENTERS, BE APPROVED AS PRESENTED. VOICE VOTE. CARRIED 7-0.

VI CITIZEN COMMENTS FOR ITEMS NOT ON THE AGENDA - None

VII CORRESPONDENCE - None

VIII OLD BUSINESS – None

IX PUBLIC HEARINGS

- 1. Case No. 1-14-1, Special Land Use Permit for a Group Day Care, Applicant is Taunya Sims, 118 Hume, Lansing, Michigan 48917.**

(Summary Record of Public Hearing is filed under a separate cover.)

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2. **Case No. 1-14-2, Special Land Use Permit for a Group Day Care, Applicant is Kim Wanamaker, 124 Julian, Lansing, Michigan 48917.**

(Summary Record of Public Hearing is filed under a separate cover.)

3. **Case No. 1-14-3, Special Land Use Permit for an Institutional Use for supportive housing for the disabled and adult foster care, 1020 & 1038 Eastbury Drive, Lansing, Michigan 48917.**

(Summary Record of Public Hearing is filed under a separate cover.)

X OTHER BUSINESS

Site Plan Review for 3020 Snow Road – D & K Truck Company, new construction of truck sales and repair facility.

Assistant Planner Chris Gruba informed the Commission that the subject parcel was the former site of the Starlite Drive-In Theater and that the applicant was proposing a semi-truck sales and repair facility. Mr. Gruba noted that in December of 2013, the Township Board approved a Special Land Use Permit to allow the sales and repair facility on the commercially zoned parcel. He said the Township Board also granted a sidewalk variance to waive the sidewalk requirements along Snow Road, Lansing Road, and Old Lansing Road. Mr. Gruba provided a brief description of the site and showed pictures that were taken of the site that illustrated a lot of mature vegetation that already existed on the property. He pointed out that a greenbelt would be required along Snow Road and Old Lansing Road and that a buffer strip would be required between the subject parcel and the residential zoning to the southwest. Mr. Gruba noted that in an effort to avoid removing the existing vegetation to install new shrubs, the applicant applied for variances from the shrub requirement for the greenbelt and buffer zone landscaping. Mr. Gruba noted that the Zoning Board of Appeals was reluctant to grant a landscaping variance and upon further review, staff decided to invoke Section 20.8.0 G of the Zoning Ordinance which allowed for the Zoning Administrator to grant a waiver from the landscaping requirements without having to go before the Zoning Board of Appeals. However, he noted that due to the fact that the existing vegetation was sparse along Old Lansing Road, staff requested that the applicant plant 10 trees behind the fence within the greenbelt of Old Lansing Road in order to provide screening at places where vegetation was lacking.

Mr. Gruba noted that the applicant had taken the initiative to plant additional evergreen trees along the western edge of the property in order to provide additional buffering for the single family residence located on Old Lansing Road. He noted that significant changes would have to be made to Lansing Road and

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Snow Road to accommodate truck turning movements. He noted that the applicant had met with both the Eaton County Road Commission and the Michigan Department of Transportation to discuss the proposed changes. Mr. Gruba mentioned the fact that there were a couple of residents who spoke at the February 11th Zoning Board of Appeals meeting who were in favor of allowing the applicant to keep the existing vegetation as opposed to removing it in order to plant new landscaping.

Ms. Gabriel inquired about the Zoning Board of Appeals granting landscaping variances.

Assistant Community Development Director Gary Bozek said there had been landscaping variance requests in the past. He noted that the Zoning Board of Appeals had been consistent and considered themselves a last resort and if there was a way to meet the intent of the ordinance without granting a variance, that was what they would direct staff to do. Mr. Bozek noted that Section 20.8.0 G of the Zoning Ordinance allowed staff to make a subjective opinion as to whether or not the existing landscaping met the requirements of the ordinance.

Mr. Mudry asked whether staff had determined that the natural vegetation met the requirements of the Zoning Ordinance.

Mr. Bozek said that was correct with the addition of new plantings.

Mr. Mudry said he was present at the Township Board meeting when the Board granted a variance for the installation of sidewalks. He questioned if this meant that sidewalks would never have to be installed around the perimeter of the property.

Mr. Bozek said that the sidewalk variance relieved the property owner from having to install sidewalks. However, the Township's Non-Motorized Transportation Plan calls for sidewalks along Old Lansing Road. The Township may, at its own expense, install the sidewalks in the future.

Mr. Mudry asked if the landscaping along Lansing Road provided the applicant with adequate visibility.

Mr. Schweitzer indicated that Snow Road would be bent to intersect Lansing Road at a 90 degree angle, but he questioned whether the previous 45 degree approach would be left.

Mr. Gruba noted that the existing 45 degree intersection at Snow and Lansing Roads would be eliminated, leaving only the new 90 degree intersection.

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Mr. Schweitzer asked how that would affect the residents across the street and whether there would be anything in place that would buffer the residents from the proposed truck facility.

Mr. Gruba noted that staff had not received any phone calls or emails or communication of any kind from the residents to the east of the subject parcel regarding the operation. He stated that a Mr. Rockafellow at 3023 Snow Road had attended the Planning Commission meeting in 2013 regarding the Special Land Use Permit. At that time, Mr. Rockafellow stated that he was concerned about the truck traffic entering and exiting the site since it was directly across the street from his house. However, staff had not received any communication from him or any of his neighbors since then. Mr. Gruba noted that much of the existing vegetation on the site along Snow Road would remain in place, buffering the residents on the east side of Snow Road from the truck facility.

Community Development Director Mark Graham said acting in his capacity as Township Zoning Administrator, he had created a “findings of fact” regarding the landscaping variance. He said his findings, based on site examination, the lay of the land, the existence of an existing fence, existing vegetation, the existing change in topography in the area, and the fact that Old Lansing Road was at a lower elevation than the subject parcel, he had taken the position that with the addition of 10 trees, the applicant would satisfy the requirements of the Zoning Ordinance regarding landscaping. Mr. Graham said in regards to a sidewalk on Old Lansing Road, it was his opinion that the applicant would never be required to install a sidewalk, but the Township’s Non-Motorized Transportation Plan recommended a pathway along Old Lansing Road from Waverly Road to Creyts Road. He said this was one of the key areas identified in the Non-Motorized Plan as a connection to the City of Lansing’s river walk system. He said at some time in the future, there would be a pathway that ran parallel to Old Lansing Road.

Ms. Ruswinckel questioned whether any of the residents along Snow Road had come to the Planning Department to discuss their concerns with the access point on Snow Road since the Township Board meeting.

Mr. Gruba said that no other residents had called, mailed or emailed the Planning Division regarding the access point on Snow Road.

**MOTION BY CASCARILLA, SECONDED BY MUDRY, THAT THE
DELTA TOWNSHIP PLANNING COMMISSION APPROVE THE
PRELIMINARY SITE PLAN FOR A 38,556 SQUARE FOOT SEMI-
TRUCK SALES AND REPAIR FACILITY AS ILLUSTRATED ON SITE
PLANS PREPARED BY KEBS INC. DATED JANUARY 22, 2014
SUBJECT TO THE FOLLOWING:**

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- 1. AS PER SECTION 20.8.0 G OF THE ZONING ORDINANCE, THE EXISTING LOW-LYING VEGETATION MEETS THE INTENT OF THE ORDINANCE FOR SNOW ROAD, LANSING ROAD, AND THE LANDSCAPE BUFFER ZONE, THEREBY COMPLYING WITH THE LANDSCAPE SHRUB REQUIREMENT IN THESE LOCATIONS. OLD LANSING ROAD HAS THE LEAST AMOUNT OF EXISTING VEGETATION, THEREFORE, AN ADDITIONAL 10 TREES SHOULD BE INSTALLED WITHIN THE GREENBELT. STAFF HAS NOTED THAT THE EXISTING FENCE PARALLEL TO OLD LANSING ROAD IS ON THE HIGHEST POINT OF A RIDGE SO THE INSTALLATION OF SHRUBS BEHIND THE FENCE WOULD NOT PROVIDE SCREENING. AT LEAST HALF OF THESE TREES MUST BE CANOPY TREES, AS PER SECTION 20.7.0 (A)(1).**
- 2. THE PROPOSED LIGHT FIXTURES ON POLES AND WALL PACK LIGHTS SHOULD BE AIMED DOWN AND SHIELDED. THIS DETAIL SHOULD BE ILLUSTRATED ON THE FINAL SITE PLAN.**
- 3. FINAL APPROVAL BY THE EATON COUNTY DRAIN COMMISSIONER.**
- 4. FINAL APPROVAL BY THE DELTA TOWNSHIP FIRE DEPARTMENT.**
- 5. FINAL APPROVAL BY THE EATON COUNTY ROAD COMMISSION REGARDING THE REALIGNMENT OF SNOW ROAD.**
- 6. FINAL APPROVAL BY MDOT REGARDING THE PROPOSED CHANGES TO LANSING ROAD.**

VOICE VOTE. CARRIED 7-0.

Planning Commission and Planning Division Annual Report for 2013.

Mr. Graham said the Michigan Planning Enabling Act required the Planning Division to prepare a Planning Commission and Planning Division Annual Report. He noted that the Annual Report was passed on to the Township Manager's Office and that he would provide the Township Board with a report of the four divisions within the Community Development Department.

Mr. McConnell said there was a significant increase in the number of complaints addressed during 2013.

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Mr. Graham felt that accounted for more meticulous records being kept in the Planning Department than in the past due to more advanced computer programs.

Ms. Gabriel inquired about residents pushing snow from their driveways into the roadway.

Mr. Graham said pushing snow into the roadway was not allowed and that typically staff forwarded those complaints onto the Road Commission who had jurisdiction over the roads.

Mr. McConnell inquired about staff's regional or intergovernmental planning activities.

Mr. Graham noted that staff's activities were included towards the end of the report where it talked about support services to others. He noted that Mr. Bozek served on several committees at Tri-County Regional Planning Commission, and that Mr. Gruba had been involved in the urban service boundary meetings at Tri-County. Mr. Graham noted that staff just attended a meeting regarding the Michigan Avenue reconstruction east of Waverly Road and extending a road diet west of Waverly Road to Snow Road. Mr. Graham said he would report on this project as it progressed.

Ms. Gabriel inquired about a "blue trail" that had been referenced in Olds Anderson Park.

Mr. Graham noted that the "blue trail" was a biking trail.

XI PLANNING DIRECTOR COMMENTS

Mr. Graham informed the Commission that Long Horn Steakhouse opened today. Staff received a site plan for a large addition to the Meijer's DC 93 warehouse located within the southeast corner of Mt. Hope and Creyts Road. He said Requests for Proposals for the new Zoning Ordinance were due on March 3rd. He said Mr. Gruba was finalizing the Requests for Proposals for the Sign Ordinance which was a separate free-standing ordinance. Mr. Graham said a public hearing would be held on March 20th regarding a large gap in the sidewalk on the east side of Canal Road, north of the East-West Pathway. Additional right-of-way would have to be acquired.

Mr. McConnell noted that at one time, the Planning Commission had discussed whether there were any guidelines to discussing cases outside of a public meeting setting. Mr. McConnell said he would like to have additional discussion on this topic at some future point in time.

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Mark Graham indicated that this could be brought up as a topic for discussion at the following Planning Commission meeting.

XII PLANNING COMMISSIONER COMMENTS - None

XIII ADJOURNMENT

**MOTION BY LAFORET, SECONDED BY MACLAREN, THAT THE
MEETING BE ADJOURNED. VOICE VOTE. CARRIED 7-0.**

Chairperson Schweitzer adjourned the meeting at 7:09 p.m.

Respectfully Submitted,

Kim Laforet, Secretary

Minutes prepared by Anne Swink